



Oregon

Theodore R. Kulongoski, Governor

Public Utility Commission

550 Capitol Street NE, Suite 215

Mailing Address: PO Box 2148

Salem, OR 97308-2148

Consumer Services

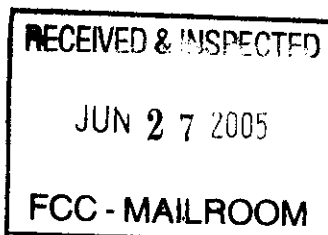
1-800-522-2404

Local: 503-378-6600

Administrative Services

503-373-7394

June 22, 2005



Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RE: In the matter of Lifeline and Link-Up, WC Docket 03-109, FCC 04-87

The State of Oregon, Public Utility Commission (OPUC), recognizes that a report and order was adopted on April 2, 2004, directing federal default states to make certain changes to their Lifeline/Link-Up America criteria.

From the Order, it appears that Oregon, as a state that has already established rules and criteria for Oregon Telephone Assistance Program (OTAP), the state equivalent of Lifeline/Link-Up America, that only two of the changes apply to our program. These changes are: A. Certification of Eligibility for services and B. Verification of Continued Eligibility for services.

The State of Oregon established both procedures in the mid-1990's. Certification for eligibility for OTAP is done through the State of Oregon Department of Human Services (DHS). Potential OTAP recipients submit required paperwork to receive public assistance from an approved DHS program, and then apply for OTAP services through the OPUC. OTAP workers are able to review eligibility for OTAP through a shared database with the approved DHS program. All OTAP recipients are eligible for Link-Up America. Low Income Energy Assistance Program (LIEAP) recipients are not eligible for OTAP, but can receive Link-Up benefits by submitting a copy of their benefits to OTAP.

Verification is done monthly. OPUC's Information Services (IS) staff compares electronic data with the DHS database approximately the middle of each month. OTAP consumers who are no longer eligible for DHS services are terminated, then given a 20-day period of time to submit documentation that they are eligible for OTAP benefits again.

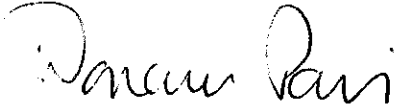
For your review, I am enclosing the following documents:

10-1-05 Oregon rec'd 024
Lot ABCDE

- Letter to Eligible Telecommunications Carriers (or Providers) who provide OTAP benefits explaining Oregon's role pertaining to the Lifeline/Link-Up Order, and
- Oregon's response to the Lifeline/Link-Up Survey developed by the FCC (this survey was e-mailed to Pam Gallant, Director of Low Income Programs at Universal Services Administration Company).

If you have any questions, please contact me at damara.paris@state.or.us, or call 711 and give the operator my TTY number 503-373-1413.

Sincerely,



Damara Paris, RSPF Manager
Telecommunications Assistance Programs

cc: Lee Beyer, OPUC Chair
Ray Baum, OPUC Commissioner
John Savage, OPUC Commissioner
Rick Willis, OPUC Executive Director
Vicki McLean, OPUC Central Services Director
Pam Gallant, USAC Director of Low Income Programs



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TO: OTAP Eligible Telecommunication Providers

FROM: Damara Paris, OTAP Manager

CC: Rick Willis, PUC Executive Director
Vicki McLean, Central Services Administrator
Brant Wolf, Oregon Telephone Association
Pam Gallant, Low Income Programs Director, USAC

RE: **LifeLine/Link-Up Report and Order FCC 04-87**

On April 29, 2004, the Federal Communications Commission (FCC) implemented a Report and Order (FCC 04087) to modify the rules for Lifeline/Link-Up to improve the effectiveness of the low-income support mechanism and ensure that quality telecommunications services are available to low-income consumers at reasonable and affordable rates. You may review this Order at http://www.universalservice.org/li/download/pdf/LLOrder_final.pdf.

Most of the rule changes apply to federal default states, including Tribal Lifeline, and must be in place by June 22, 2005. Oregon is not a default state because we have established our own low-income subsidy program. Consistent with 47 C.F.R. §§54.409(a) and 54.415(a), consumers must meet the eligibility requirements established by the state program.

I have communicated with many of the Eligible Telecommunications Providers (ETPs) by phone or e-mail about Oregon's participation in the new rule changes. There appears to still be some confusion about what changes apply to Oregon ETPs. Hopefully this letter will assist you in understanding the extent that Oregon will be participating in the rule changes. I have briefly outlined some of the rule changes below and the extent of Oregon's compliance within these rules.

1. Adding income-based criteria at or below 135% of the Federal Poverty Level (FPL):

Previous federal Lifeline/Link-Up standards were tied primarily to program-based criteria. If consumers were on a list of programs, they were eligible for Lifeline/Link-Up. The new standards allow consumers who are not on the approved list of programs, but do have an income level at or below 135% of the FPL, to qualify for Lifeline/Link-Up services. Again, because Oregon is not a default state and our eligibility criteria for low-

4. ***Certification of program-based and income-based criteria:*** The FCC clearly states in the new Order that a certification process needs to be in place for all states, including federal default states. Currently Oregon certifies eligibility for OTAP through an agreement with the Oregon Department of Human Services (DHS). DHS and OTAP identified which program codes apply to people who are at or below 135% FPL and on programs with these eligibility requirements. We believe this meets the certification requirements of the FCC for OTAP recipients. Oregon does not have a self-certifying program for non-tribal recipients.
5. ***Verification of Continued Eligibility for Lifeline programs:*** The new Order specifies that all states must have a verification process in place to determine that consumers still meet program-based and income-based criteria, although states with established Lifeline programs may have flexibility in determining their verification process. In the mid 90s, Oregon implemented a monthly verification process. OTAP and DHS electronically compare data each month. Those who are no longer receiving benefits from a DHS program that determines eligibility at or below 135% of the FPL receive a termination notice from OTAP.
6. ***Adoption of outreach guidelines:*** In the new Order, the FCC offers guidelines to provide more vigorous outreach to potential Lifeline recipients. I have outlined these guidelines and Oregon's compliance with them below.
 - i. **States and carriers should utilize outreach materials and methods designed to reach households that do not currently have telephone service.** Oregon is currently developing a combined pamphlet/OTAP application to be distributed at places with a high number of contacts by the low-income population, including food banks, stores, shelters and other public places. We have a limited number of brochures available for ETPs. If you would like a copy of these brochures so you can distribute them at your Oregon-based offices, please contact me damara.paris@state.or.us. Oregon also has an on-line application process. Consumers may apply directly through the secure website process, omitting the need to mail us an application, or they may download an application and send it to us. The URL for this application is www.puc.state.or.us/consumer/rspf.htm.
 - ii. **States and carriers should develop outreach advertising that can be read or accessed by any sizeable non-English speaking populations within a carrier's service area.** All of the outreach materials will be translated into Spanish. We are currently looking into translation into Russian as well. We are also considering a newspaper article about OTAP to be published in several newspapers. We welcome any input by Eligible Telecommunications Providers of OTAP.
 - iii. **States and carriers should coordinate their outreach efforts with governmental agencies/tribes that administer any of the relevant**

APPENDIX C**LIFELINE/LINK-UP STATE SURVEY****STATE OF OREGON**

- 1. What changes, if any, has the state implemented in its Lifeline/Link-Up program due to changes in the federal Lifeline/Link-Up program? Of those changes, which have been most effective in increasing the state's telephone penetration rate?**

Because the State of Oregon is not a default state, we did not incorporate the recommended changes. However, we did take the opportunity to clarify our certification and verification (see more information about these processes under questions 6 and 7 of this survey) process with the Eligible Telecommunications Carriers who are approved Oregon Telephone Assistance Program (OTAP) providers (we also call them Eligible Telecommunication Providers, or ETPs). We believe this clarification will assist in increasing the effectiveness of our programs with those providers.

- 2. Please provide any additional information the state wishes to submit regarding positive or negative results experienced due to adoption of new Lifeline/Link-Up procedures during the past 12 months.**

N/A

- 3. Please provide any additional information the state wishes to submit regarding any administrative burdens or inefficiencies that the state has experienced due to adoption of new Lifeline/Link-Up procedures during the past 12 months.**

N/A

- 4. What is the current level of Lifeline support in the state, and are any changes scheduled to be made in the future?**

OTAP recipients receive a total of \$13.50 per month off their telephone bill.¹ The State of Oregon provides \$3.50 per month, while telecommunications providers are reimbursed through USAC for the remainder. At this time, the State of Oregon does not have any changes scheduled for the Oregon contribution towards the OTAP reimbursement.

- 5. Describe the state's Lifeline/Link-Up eligibility requirements.**

Oregon Statute (Chapter 290, Sections 2-16, Oregon Laws 1987) define the requirements for receiving Lifeline/Link-Up as: "an individual determined by the commission to be receiving benefits from the federal food stamp program or from another low income public assistance program for which eligibility requirements do not exceed 135 percent of the poverty level." The

¹ All participating ETPs pass on \$13.50 to OTAP recipients with the exception of Malheur Bell who gives their customers a \$13.33 discount per month.

programs currently approved are:

- Food Stamps (FS)
- Qualifying Medical Programs under the Oregon Department of Human Services that meet the 135% FPL eligibility requirements (including Oregon Health Plan, Medicaid and some Medicare programs)
- Temporary Assistance to Needy Families (TANF)
- Social Security Income (SSI)

Link-Up America recipients may also qualify for Low Income Energy Assistance Program (LIEAP).

OTAP recipients must also be the named subscriber of their telecommunications provider..²They must also give permission (either electronically or on paper) to pass on information about their eligibility to their telecommunications provider.

6. Describe the state's Lifeline/Link-Up procedures for enrollment and certification, including documentation requirements. Do any state agencies qualify applicants for the Lifeline/Link-Up program?

Recipients must first enroll through the Department of Human Services (DHS) on a program that determines qualifications at or below 135% of the FPL. Once they are on those assistance programs, they contact the Public Utility Commission's (PUC) Oregon Telephone Assistance Program (OTAP) and apply for the low-income telephone subsidy program through a variety of venues. They may apply directly online at www.rspf.org (or www.puc.state.or.us/consumer/rspf.htm), mail in an application that they can download from the PUC website, pick up an application from a DHS program, or they may call our toll-free number and apply directly through the telephone. When we receive their application, through mail, e-mail or on the telephone, we look up their eligibility status through a shared database system with DHS and determine their OTAP eligibility. For LIEAP recipients, we require a copy of their LIEAP benefits. Upon the determination of their eligibility, we forward their information to the telecommunications provider that they are subscribed to.

7. Describe the state's Lifeline/Link-Up procedures for verification, including documentation requirements. If the state plans to implement a verification program, please describe.

Verification of program eligibility for OTAP is done monthly. On the 19th of each month, PUC's information services staff compares the current database against the DHS database. Those who are listed as not receiving active DHS benefits are terminated from OTAP benefits. The termination notices are mailed out on the 21st, or the next working business day. OTAP currently has a 20 day appeal process, allowing consumers who are eligible for benefits to contact us before their OTAP benefits are terminated.

² PUC may waive this requirement in the case of domestic violence survivors or qualifying children of illegal aliens.

8. Does the state now use, or is it considering implementing an electronic database to identify income-eligible households or facilitate verification or enrollment? If yes, please describe.

As described under question #7 and #8, OTAP currently uses an electronic database to verify the OTAP eligibility of those who are on a program that qualifies them at or below 135% of the FPL. We will continue to use this method. We do not, however, use the database to actively identify potential OTAP recipients prior to being contacted by the consumer. At this time, we do not have plans to implement this program until we have spent more time investigating the potential cost to the State of Oregon.

9. Describe the state's outreach efforts. Which outreach efforts in particular have been the most successful in increasing participation?

OTAP is currently working with phone companies to identify ways to improve outreach to potential OTAP recipients. One recent addition to our outreach has been to implement the availability of electronic applications through our website. An average of 10% of our applications now come from those who use computers to directly apply for services, omitting the need to make calls or send stamped mail. While we recognize that not all low-income individual have Internet access, we also note that public libraries and other state facilities such as employment divisions have online access available to consumers.

We also note that one of the resellers that we have certified as an ETP target the low-income population for telephone services. They advertise OTAP benefits as part of their package on local television stations and radios. This has proven to be an effective marketing tool.

OTAP staff is currently working on a combined brochure/application about our program to be distributed to programs that traditionally advocate for low-income individuals.

10. List suggestions for improvements to the federal Lifeline/Link-Up program.

The State of Oregon does not currently have any feedback other than to suggest that FCC improve awareness about Lifeline/Link-Up, by listing state contact information under the FCC website, much in the same manner as they do for Telecommunication Relay Services state contact information under the Disability and Consumer Affairs Bureau.

11. Does the state require all incumbent LECs to provide Lifeline/Link-Up Service to eligible subscribers?

Yes.

12. Does the state require all competitive LECs to provide Lifeline/Link-Up Service to eligible subscribers?

No.

13. Does the state sponsor any other low-income assistance programs that may provide alternative means for low-income consumers to access the public switched telephone network?

The state offers Telecommunication Devices Access Program (TDAP), a program that loans assistive telecommunications devices to people who are not able to use a standard phones due to a disability. It is likely that the majority of TDAP consumers are low-income, however it is not required to be low-income in order to be qualify for this program.

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